

710 EAST SAN AUGUSTINE STREET

DEER PARK, TEXAS 77536

Minutes

of

A SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF DEER PARK, TEXAS HELD IN THE CITY HALL, 710 EAST SAN AUGUSTINE STREET, DEER PARK, TEXAS MARCH 6, 2008, AT 5:00 P.M., WITH THE FOLLOWING MEMBERS PRESENT:

WAYNE RIDDLE  
CHRIS RICHEY  
THANE HARRISON  
BLAKE BARNES

MAYOR  
COUNCILMAN  
COUNCILMAN  
COUNCILMAN

OTHER CITY OFFICIALS PRESENT:

RONALD V. CRABTREE  
SANDRA WATKINS  
GARY JACKSON  
JIM FOX

CITY MANAGER  
CITY SECRETARY  
ASSISTANT CITY MANAGER  
CITY ATTORNEY

1. MEETING CALLED TO ORDER - Mayor Riddle called the meeting to order at 5:00 p.m. and called upon City Manager Ron Crabtree for comments

Ron Crabtree, City Manager, commented, "I am going to ask Gary to hit the high points with you of this contract. I know you have not had an opportunity to review it. It is a three way contract, so it has some complexity to it. I think, within the last day or two, we have finally been able to pull this all together, but Gary can hit the high points. If you have some questions, you can ask him, or both Steve and Bill are here too if you need to ask them any questions."

Gary Jackson, Assistant City Manager, commented, "As Ron said, this is a tri-party agreement between the City, we are the property owner, the contract owner, who is technically Deerwood Circle LLC, and the contractor who will be doing the actual work, which is J. A. Mills & Son, Contractors, Inc. from Pasadena. Prior to this document being put together, which is an eighty-seven page document that you are absolutely welcomed to review all parts of it or any part of it, it was agreed the contract owner, Deerwood Circle, LLC will pay the contractor for all work performed under this contract. The City will not expend any taxpayer funds, and Deerwood Circle, LLC will be paying the contractor \$118,470.00. The City is allowing the property to be used for the mitigation project that Deerwood Circle is undertaking. They will also perform drainage improvements on hole #14, and allow the dirt to be used for various purposes on the golf course that the Golf Pro has designated. It is, we believe, a win win arrangement between the three different parties. This is not a real typical type of a situation that we do between three different parties, but we feel it is the best of all worlds. I think that summarizes it."

Councilman Harrison asked, "If we did not do this, what would be the future?"

Louis Gantz, Golf Pro, commented, "We have one of two options. One would be to operate the way we are now and having the challenges of being closed or having those cart path areas not passable when we get the high levels of rain. The second option is we would have to go in there and do a study to see

what it would cost for the city to do the improvements to the drainage area, which would probably be a significant amount of money?"

Councilman Harrison asked, "These people are willing to come in and pay to have that done for us, and it is helping them out on another project that they have?"

Mr. Jackson commented, "It puts that property on the tax rolls and that benefits all of the taxing entities."

Councilman Harrison asked, "They will get full credit for this in the mitigation process?"

Mr. Fox commented, "Without that, they will not be able to build on the property. We get a double benefit really. We get it on the tax rolls, and we get the work done on the golf course."

Mr. Jackson commented, "If it is appropriate, we have passed out maps, so Louis can explain to Council the placement of the dirt."

Mr. Gantz commented, "On your map you will see on the far left, which is the west part of the golf course, we have shown the entrance that we are recommending being the excavation site. You see that line there that is where the lake is going to be dug. You see circle one? That is going to be a push up site for about one thousand cubic yards of dirt which will be used for that part of the tee box. That is why we are going to go ahead and leave that there. Then you see number two. That is going to be a second distribution site for about fifteen hundred cubic yards of dirt. Then, at the back of the practice area of the driving range on the far east side of the golf course, there will be the third distribution site. That will house about five thousand cubic yards. Something that we did not mention earlier, an additional benefit to the golf course with this project, is that the seventy-five hundred cubic yards of dirt or soil can be used for tee boxes and future construction, especially for our par three tee boxes that we can use this for a base and shaping."

Councilman Harrison asked, "How soon is this supposed to start, because I know that you have a lot of tournaments planned?"

Mr. Gantz commented, "From our aspect, the sooner the better."

Mr. Jackson commented, "I think the contract says within five working days, weather permitting. The contract period is thirty days, not including weekends."

Mr. Gantz commented, "Not including weekends is correct. The reason behind that is we already have some tournaments booked for the weekends."

Councilman Barnes commented, "I think this is something that for all of us that play golf. I think I would like to see us look at adding maybe a couple of tee boxes, and making our golf course a little bit longer. I think for prestige purposes too, basically, we would be able to say, 'Deer Park is seventy-two hundred yards or a Par 71 golf course' if you want to bring in some collegiate golf tournaments or maybe some other sectional tournaments. Increasing the golf course by about three hundred yards in key spots will make this golf course really tough. That is why I am saying this is something we can talk about."

Mayor Riddle asked, "Is that something that can be done with some of this dirt?"

Mr. Gantz answered, "Yes sir, this project makes that possible."

2. CONSIDERATION OF AND ACTION ON ENTERING INTO AN AGREEMENT WITH DEERWOOD CIRCLE, LLC AND J. A. MILLS & SON, CONTRACTORS, INC. FOR DRAINAGE ALTERATIONS TO THE BATTLEGROUND GOLF COURSE - Motion was made by Councilman Harrison and seconded by Councilman Barnes to enter into an agreement with Deerwood Circle, LLC and J. A. Mills & Son, Contractors, Inc. for drainage alterations to the Battleground Golf Course. Motion carried 4 to 0.
3. ADJOURNMENT - Mayor Riddle adjourned the meeting at 5:10 p.m.

ATTEST:

APPROVED:

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Sandra Watkins, TRMC, CMC  
City Secretary

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Wayne Riddle  
Mayor